

Message

---

**From:** Luetscher, Greg [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4BFC6EB465A543128E5C7E7DF9F982CE-LUETSCHER, GREGORY]  
**Sent:** 10/23/2017 4:07:11 PM  
**To:** Ware, Ethan [eware@williamsmullen.com]  
**CC:** Mann, Teresa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5e788b7b43dc484fa765a01b844e8052-Mann, Teresa]  
**Subject:** Burlington Industries Cheraw - AOC for Removal  
**Attachments:** 2017-10-23 - Burlington - AOC for Removal with Appendix A, B, and C.pdf; Burlington Industries Site, Cheraw - Transmittal of final updates to Removal AOC; 2017-10-16-Burlington EPA Signature Page2017-10-15-144455.pdf; Burlington Industries Cheraw - AOC for Removal (Docket No. 04-2017-3759) - Signature Page & Effective Date

Ethan,

Sorry for the delay – I was out of the office most of last week and just this morning picked up your email, below.

My email to you on Wednesday, 9/27/2017 (its “Outlook Item” is attached hereto for your files) outlined the final changes made to the AOC for Removal (Docket No. 04-2017-3759), and included six (6) files. For your convenience, I have attached hereto a new “.pdf” reflecting the document that was executed by the parties.

Other than the addition of EPA’s signed and dated signature page, EPA made no further changes to either the AOC itself or the three Appendices. I have attached hereto a “.pdf” reflecting EPA Region 4’s signature page; it was sent to you as an attachment to an email (its “Outlook Item” is also attached hereto) from me on Monday, 10/16/2017.

That leaves only Highland’s signature page, a copy of which I presume you have retained. However, if such is not the case please let me know and I’ll forward you a copy of it as well.

Regards.  
Greg

---

*Gregory D. Luetscher*  
*Attorney/Advisor*  
Office of Regional Counsel  
U.S. EPA Region 4  
61 Forsyth St. S.W.  
Atlanta, GA 30303  
**(404) 562-9677**

---

**From:** Ware, Ethan [mailto:eware@williamsmullen.com]  
**Sent:** Thursday, October 19, 2017 08:10 AM  
**To:** Luetscher, Greg <Luetscher.Greg@epa.gov>  
**Subject:** RE: Burlington Industries Cheraw - AOC for Removal (Docket No. 04-2017-3759) - Signature Page & Effective Date [IWOV-IWOVRIC.FID1622654]

Mr. Luetscher-

Please forward by close of business today a FINAL COMPLETE AOC FOR REMOVAL ACTIONS for the above-referenced site with all Exhibits.

Sincerely,

Ethan Ware.

**Ethan R. Ware | Attorney | Williams Mullen**  
1441 Main Street, Suite 1250 | P.O. Box 8116 (29202) | Columbia, SC 29201  
T 803.567.4610 | C 803.727.7624 | F 803.567.4601 | [eware@williamsmullen.com](mailto:eware@williamsmullen.com) | [www.williamsmullen.com](http://www.williamsmullen.com)

---

**From:** Luetscher, Greg [<mailto:Luetscher.Greg@epa.gov>]

**Sent:** Monday, October 16, 2017 3:59 PM

**To:** Ware, Ethan <[eware@williamsmullen.com](mailto:eware@williamsmullen.com)>

**Cc:** Mann, Teresa <[Mann.Teresa@epa.gov](mailto:Mann.Teresa@epa.gov)>; Huyser, Matthew <[Huyser.Matthew@epa.gov](mailto:Huyser.Matthew@epa.gov)>

**Subject:** Burlington Industries Cheraw - AOC for Removal (Docket No. 04-2017-3759) - Signature Page & Effective Date

Ethan,

Please find attached a copy of the executed signature page for the Administrative Settlement Agreement and Order on Consent for Removal Action ("AOC" or "Settlement"), CERCLA Docket No. 04-2017-3759, as signed today, October 16, 2017, by EPA Region 4.

As contemplated under paragraph 122, the Settlement's Effective Date shall be five (5) days following execution by EPA. When computing a period of time under the Settlement, if the last day would fall on a Saturday the period shall run until the close of business of the next working day. (*See* ¶ 8, "Day".) In this instance, the fifth (5<sup>th</sup>) day following EPA's execution falls on Saturday, October 21, 2017. Accordingly, the "**Effective Date**" of the Settlement shall be Monday, **October 23, 2017**.

For your convenience, I have set forth below, a summary of the AOC's noteworthy provisions reflecting deadlines for the submission of deliverables and/or the performance of activities, and which are directly related to the Settlement's "Effective Date," as follows:

- Within **ten (10) days** -- designate a Project Coordinator (¶ 30)
- Within **twenty (20) days** -- notify EPA of the names, titles, addresses, telephone numbers, email addresses, and qualifications of contractors or subcontractors retained to perform the Work. (¶ 29)
- Within **thirty (30) days**:
  - Submit a Health and Safety Plan for review and comment. (¶ 37)
  - Submit a Sampling and Analysis Plan (¶ 38.b.)
  - Obtain EPA's approval of the form of financial assurance (¶ 110)
- Within **forty-five (45) days**, submit a draft Removal Work Plan for approval. (¶ 35.a.)
- Within **sixty (60) days**, submit for EPA's approval a notice to be filed in the appropriate land records regarding Respondent's Affected Property. (¶ 49.a.)

As you know, EPA has designated Matthew Huyser of the Emergency Response, Removal, and Prevention Branch, Region 4, to be its On-Scene Coordinator (*See* ¶ 31). And as set forth at ¶ 36.a.i., unless otherwise provided in the Settlement all submissions required by the Settlement are to be directed to the On-Scene Coordinator, as follows:

Matthew Huyser  
On-Scene Coordinator  
U.S. EPA  
61 Forsyth Street  
Atlanta, GA, 30303  
(404) 562-8934

Huyser.matthew@epa.gov

If you or others have any questions concerning this or any other matter, please do not hesitate to contact me. Thank you.

Regards,

Gregory Luetscher

---

*Gregory D. Luetscher*  
*Attorney/Advisor*  
Office of Regional Counsel  
U.S. EPA Region 4  
61 Forsyth St. S.W.  
Atlanta, GA 30303  
**(404) 562-9677**